

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

**COLLEGE REPUBLICANS OF THE
UNIVERSITY OF WASHINGTON;
CHEVY SWANSON**, an Individual,

Plaintiffs,

vs.

ANA MARI CAUCE, in her official
capacity as president of the University of
Washington; **ET AL.S**

Defendants.

CASE NO. C18-189-MJP

**DECLARATION OF CHEVY
SWANSON IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

Note On Mot. Cal.: March 30, 2018

Judge: Hon. Marsha J. Pechman

Date: April 17, 2018

Time: 10:00 a.m.

Crtrm.: Suite 14206, United States
Courthouse, 700 Stewart
Street, Seattle, WA 98101-
9906

I, Chevy Swanson, declare as follows:

1. I am a Plaintiff in this lawsuit, a resident of Seattle, Washington, and president of the plaintiff College Republicans ("College Republicans") of the University of

1 Washington. The following facts and circumstances are personally known to me, and if
2 called upon to do so, I could and would competently testify as to them.

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4 2. This declaration is presented in support of Plaintiffs' Motion for Preliminary
5 Injunction.

6
7 3. In January 2017, the College Republicans hosted an event featuring political
8 provocateur Milo Yiannopolous in Kane Hall on the UW Seattle campus. The event drew a
9 significant negative reaction from some members of the Seattle community who contacted
10 the University desiring the event be cancelled.

11
12 4. I was event coordinator for the College Republicans and directly involved in
13 planning for the Yiannopolous event. I, along with other club members, met multiple times
14 with campus administrators who were our planning advisors. Initially, our advisors
15 estimated security, building rental, equipment and staffing would cost us \$1,000. In
16 subsequent meetings, we were given a revised estimate of \$5,000 and then \$7,000. At no
17 time, did the administration officials explain the rising cost estimates except to say that
18 because they were expecting heightened protests, the cost of security would increase to cover
19 additional officers.
20

21
22 5. On the night of January 20, 2017, approximately 400 people gathered in Red
23 Square to cue up for the Yiannopolous event. At approximately 5 p.m., a number of black-
24 clad individuals wearing masks and carrying sticks and flagpoles showed up breaking
25 bricks, attempting to bust down barricades and harassing people.
26

1 6. At approximately 7 p.m. an altercation occurred in which a protester was shot.
2 Two people were charged with assaulting the protester. The College Republicans raised
3 money to cover the security fees through a gofundme campaign. After the event, the College
4 Republicans received an invoice from the University for \$9,121, which they paid from the
5 money received from the gofundme campaign. However, the College Republicans did not
6 plan other events in 2017 due to their inability to cover the exorbitant security costs they
7 anticipated needing.
8

9
10 7. As a result of the Yiannopolous event requiring substantial security, the
11 University adopted a "Safety and Security Protocols for Events" policy. The policy states:

12
13 The University of Washington allows student organizations, other non-academic
14 University groups, and non-University groups to use campus facilities for
15 sponsored events. Campus rules and policies that govern these events are
16 designed to support and facilitate safe and successful activities in venues owned
17 and operated by the University. (See WAC 478-136-060)

18 Because the safety, security, and physical well-being of our campus community is
19 of paramount concern to the University, it is the responsibility of any person or
20 organization requesting the use of university facilities to comply with all
21 applicable University policies, procedures, rules and regulations, and applicable
22 local, state and federal laws, including but not limited to fire, health and safety
23 regulations. This protocol will help facilitate such compliance.

24 When the use of campus facilities involves events, activities, and programs that
25 are likely to significantly affect campus safety, security, and operation, the
26 University will perform an analysis of all event factors. This could result in
27 additional conditions and requirements placed on the host organization in order
28 to maintain the safety and security of all organizing parties, guests attending, and
the broader campus community. Safety and security concerns may include, but
are not limited to, history or examples of violence, bodily harm, property damage,
significant disruption of campus operations, and those actions prohibited by the
campus code of conduct and state and federal law.

During the planning process, host organizations or groups are responsible for making the University aware of any known histories and/or issues of safety and security concerns. The University (i.e., venue coordinator and UWPD) may review all event details and logistics to determine necessary safety and security protocols. Additionally, if previously unknown or new safety and security concerns arise during the planning process, the University will review the event details and may alter any conditions and requirements. Any determination by authorized campus officials will be based on an assessment of credible information other than the content or viewpoints anticipated to be expressed during the event. Other events taking place on or near campus will be taken into consideration in the security review. Required security measures may include, but are not limited to, adjusting the venue, date, and timing of the event; providing additional law enforcement; imposing access controls or security checkpoints limiting costumes or items carried; and/or creating buffer zones around the venue.

The host organization or group will be required to pay costs of reasonable event security as determined in advance by the University. These costs include, but are not limited to security personnel, costs to secure the venue from damage, and special equipment as determined by law enforcement. Security fees will be based on standard and approved recharge rates for UWPD, other security personnel, and associated equipment costs or rentals. Should the University place supplementary security protocols prior to or during the event to provide adequate security to help mitigate any originally unforeseen security concerns, additional security fees may be charged to host organizations or groups. Host organizations are financially responsible for damage, inside or outside of the venue, caused by members of their organization or their invitees.

The University reserves the right, in rare circumstances, to cancel an event if based on information available it is reasonably believed that there is a credible threat which unreasonably places the campus community at risk of harm.¹

8. In October 2017, an individual associated with Patriot Prayer, Kyle Broussard, contacted me offering to have the group's founder and leader, Joey Gibson, come to the

¹ Safety and Security Protocols for Events: Safety and Security Protocols for Events Sponsored by Student Organizations, Non-Academic University Users, and Non-University Users with Potential to Disrupt Campus Security, Safety and Operation; <http://depts.washington.edu/thehub/sao/rso-policy-guide/safety-and-security-protocols-for-events/>.

1 campus on November 22, 2017, for an indoor speaking event. Patriot Prayer is an informal
2 group of evangelical Christians formed and led by Gibson to convey a message of peace. Its
3 Facebook page says it is about “using the power of love and prayer to fight the corruption
4 both in the government and citizen levels that seek to gain power through division and
5 deception.”² Despite this description, Gibson has been the target of physical assault by Antifa
6 and similar violent left-wing activist groups who label him a white supremacist and Nazi.
7

8
9 9. In October 2017, I, along with other members of the College Republicans, met
10 with Defendant Renee Singleton, assistant director of Student Activities, and Christina Coop,
11 senior activities advisor for Student Activities, to discuss planning for the Patriot Prayer
12 event. Defendant Singleton told me that security costs would be high due to security
13 concerns. Singleton also told me that Patriot Prayer is a controversial group and would
14 present major security problems. Based on those representations, the College Republicans
15 decided not to move forward with the event.
16
17

18 10. In January 2018, we discussed holding a Patriot Prayer event outdoors to
19 defray the costs associated with room, equipment and some of the security costs. We reached
20 out to Gibson to inquire about scheduling an outdoor event in February 2018.
21

22 11. I met again with campus advisors to discuss planning for a February outdoor
23 event. On February 1, 2018, Defendant Craig Wilson, Patrol Commander with the UW Seattle
24 Police Department, told me the cost of security would be \$17,000 due to expected violent
25

26
27 ² https://www.facebook.com/pg/PatriotPrayerUSA/about/?ref=page_internal.
28

1 protests. Wilson did not explicitly detail the reasons for such a large security fee. No other
 2 group has been charged such an excessively large security fee in the past. *See, e.g.* Exh. 1, a
 3 true and correct copy of UWPD Security Costs for 2016-17, attached hereto and incorporated
 4 herein by reference, which I obtained through a Washington State Public Records Request.
 5

6 12. During my meetings with UW campus advisors, I was informed that the
 7 College Republicans would be individually responsible for payment of security fees. I have
 8 informed our members, however, that I will accept personal responsibility for their payment
 9 should I be required to pay. Nevertheless, I am a student, not gainfully employed, and any
 10 large sum of money would difficult for me to come by.
 11

12 I declare under penalty of perjury under the laws of the State of Washington that the
 13 foregoing is true and correct.
 14

15 DATED this 6th day of March, 2018, at Seattle, Washington.
 16

17 /s/ CHEVY SWANSON
 18 CHEVY SWANSON

19 **CERTIFICATE OF SERVICE**
 20

21 I hereby certify that on this 7th day of March, 2018, I electronically filed the foregoing
 22 document with the Clerk of the United States District Court using the CM/ECF system which
 23 will send notification of such filing to all parties who are registered with the CMECF system.
 24

25 DATED this 7th day of March, 2018

26 By: /s/ WILLIAM J. BECKER, JR.
 27 William J. Becker, Jr. (Pro Hac Vice)
 28

| UWPD Charges, 2016-17 | | |
|------------------------------|---|---------------|
| Date | Event | Amount |
| 9/26/2016 | ASUW Fall Fling | \$ 844.00 |
| 1/7/2017 | ASUW AISC: Powwow | \$ 1,320.00 |
| 1/20/2017 | College Republicans: Milo Yiannopoulos | \$ 9,121.00 |
| 3/7/2017 | ASUW A&E: Shawn King | \$ 855.00 |
| 4/1/2017 | Desi Dhamaka: Cultural Show | \$ 760.00 |
| 4/8/2017 | First Nations: Spring Powwow | \$ 4,372.00 |
| 4/21/2017 | Taiwanese Student Association: Night Market | \$ 950.00 |
| 5/5/2017 | Polynesian Student Alliance: PolyDay | \$ 2,862.00 |
| 5/19/2017 | ASUW A&E Spring Concert | \$ 3,310.00 |
| | | |
| | Total | \$ 24,394.00 |
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